

## AGENDA



Thursday, February 10, 2011

**Public Hearings and Possible Actions  
RECOMMENDATION FOR COUNCIL ACTION****Item No. 49**

---

**Subject:** Conduct a public hearing and consider an ordinance amending Ordinance No. 20100211-036 extending the expiration date to February 15, 2012, for floodplain variances granted for existing buildings and structures owned by Stubb's Austin Restaurant Co., L.C. located at 801 Red River Street.

**Amount and Source of Funding:** There is no unanticipated fiscal impact.

**Fiscal Note:** A fiscal note is not required.

**For More Information:** Kevin Shunk, 974-9176; Mapi Vigil, 974-3384

**Prior Council Action:** February 11, 2010- City Council approved Ordinance No. 20100211-036.

---

The owner, Stubb's Austin Restaurant Co., L.C., has an approved site plan development permit (SP-2010-0144C) for the legal permitting and maintenance of existing structures associated with the restaurant and amphitheatre at 801 Red River Street, including a wood building, ramp, sound booth, four bars, dumpsters, stairs and other associated improvements constructed after 1996 but never officially permitted. Interior renovation and addition of decks will be included.

City Council approved an ordinance for floodplain variances for these improvements on February 11, 2010. A condition of that ordinance was that the project must receive all necessary building permits before February 15, 2011. The owner will not be able to obtain all permits by that date and they are requesting an amendment to the expiration date of the ordinance. Approval of the subject amendment to the ordinance will provide the owner one additional year to obtain the required building permits.

The engineering data that the applicant's engineer used to analyze the development's floodplain impacts in 2009 are the best available data at this time.